

## MINUTES OF COUNCIL ELECTRONIC REGULAR MEETING – MAY 22, 2007

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THE WEST VALLEY CITY COUNCIL MET IN AN ELECTRONIC REGULAR SESSION ON TUESDAY, MAY 22, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

### THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt  
Russ Brooks (participated via telephone)  
Carolynn Burt  
Joel Coleman  
Margaret K. Peterson  
Steve Vincent  
Mike Winder

Paul Isaac, Acting City Manager  
Sheri McKendrick, City Recorder

### STAFF PRESENT:

Richard Catten, City Attorney  
Kevin Astill, Parks and Recreation Director  
Russell Willardson, Public Works Director  
Buzz Nielsen, Chief of Police  
John Evans, Fire Chief  
John Janson, Acting CED Director  
Craig Thomas, Administration  
Owen Jackson, Administration  
Jake Arslanian, Public Works Department

### 13273      **OPENING CEREMONY**

The Opening Ceremony was conducted by Steve Vincent who read a humorous story he received via e-mail.

### 13274      **SCOUTS**

Mayor Nordfelt recognized and welcomed Scout Troop No. 1304 in attendance to complete requirements for the Communications merit badge.

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13275      **STUDENTS**

Mayor Nordfelt recognized and welcomed several students from Mr. Benjamin Kendrick's class at Hunter Jr. High School in attendance to complete an assignment.

13276      **APPROVAL OF MINUTES OF REGULAR MEETING HELD MAY 8, 2007**

The Council read and considered the Minutes of the Regular Meeting held May 8, 2007. There were no changes, corrections or deletions.

After discussion, Councilmember Coleman moved to approve the Minutes of the Regular Meeting held May 8, 2007, as written. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	
Mayor Nordfelt	Yes

Unanimous.

13277      **PROCLAMATION IN SUPPORT OF ESTABLISHING A SISTERHOOD AGREEMENT BETWEEN BOCA DEL RIO AND WEST VALLEY CITY**

Councilmember Winder read a proclamation prepared in honor of the Boca del Rio, Mexico, Sister City delegation visit scheduled May 22-27, 2007.

13278      **COMMENT PERIOD**

Upon inquiry by Mayor Nordfelt, there was no one who desired to address the City Council during the Comment Period.

13279      **RESOLUTION NO. 07-102, AWARD CONTRACT TO KELBY ELECTRIC, INC., 2007 STREET LIGHTING PROJECT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-102 which would award a contract to Kelby Electric, Inc. in the amount of \$78,400.00 regarding the 2007 Street Lighting Project.

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Mr. Isaac stated the subject contract would cover installation of City-supplied street light fixtures and poles in various subdivisions throughout the City.

The Acting City Manager reported construction of several subdivisions had been completed after Rocky Mountain Power discontinued installation of street lights in the City. He indicated the City had purchased street light fixtures and poles from Mountain States Lighting for those subdivisions.

Mr. Isaac stated bids had been solicited and submitted as follows: 1) Big Bear Electric: \$59,170.00; 2) Kelby Electric: \$78,400.00; and 3) Pinevalley Electric: \$103,000.00. He reported Big Bear Electric, Inc. had submitted the lowest bid; however, they had failed to execute the contract and therefore were deemed non-responsible. He recommended Kelby Electric, Inc. be awarded the contract in the stated amount.

After discussion, Councilmember Coleman moved to approve Resolution No. 07-102, a Resolution awarding a contract to Kelby Electric, Inc. and authorizing execution of the contract in the amount of \$78,400.00 to perform construction of the 2007 Street Lighting Project in various subdivisions throughout the City. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

13280

**RESOLUTION NO. 07-103, APPROVE COMMUNITY ENHANCEMENT AND DEVELOPMENT AGREEMENT WITH GREAT WESTERN SUPPLY, INC. FOR PROPERTY LOCATED AT 2451 SOUTH 3200 WEST**  
Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-103 which would approve a Community Enhancement and Development Agreement with Great Western Supply, Inc. in the amount of \$52,632.00 for property located at 2451 South 3200 West.

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Mr. Isaac stated Great Western Supply, Inc. was currently headquartered in Ogden, with a branch facility in South Salt Lake City on approximately three acres. He also stated their consistent annual growth meant they now needed to expand. He indicated following their action of optioning property in Salt Lake City, one of the partners decided to look at sites in West Valley City at 2451 South 3200 West on 5.92 acres where an old landfill existed years ago. He further stated the site had no curb, gutter and sidewalk but was located between properties that had such on both sides. He stated piles of dirt and refuse occupied the front one half of the site. He indicated the site remained very unattractive in a neighborhood of fine businesses with decent buildings and landscaping.

The Acting City Manager reported the firm's only request of the City had been a rebate on the City fees they would pay to complete the project, estimated to be \$52,632.00. He stated Great Western would invest \$1,075,000 in the land currently assessed at \$301,000. He stated their sales would be \$10,000,000 in the current year and expand conservatively to \$18,250,000 within the next five years. He reported the company would employ 43 people at a current average of \$36,000 per job to increase over that five year time frame. During 20 years in business, the company had only one year with less than a 15% growth. Sales tax generated for the City at the one-half percent in the first year would be \$60,000. ( $.005 \times \$12 \text{ M } 2008 \text{ sales} = \$60,000$ ). Mr. Isaac stated essentially, in one year, the company would return to the City the amount of the fees rebated.

Mr. Isaac further discussed the fact that some goals of the City economic development efforts were: 1) To attract headquartered firms; 2) To improve neighborhoods; 3) Increase City revenues; and 4) Create good paying jobs for the citizens. He stated the Great Western Supply, Inc. project met all four of those goals as a mid-size firm growing at a consistently strong pace. He reported that discussing the possibility of this proposed incentive with the firm had been the factor that tipped the decision to come to West Valley City.

After discussion, Councilmember Peterson moved to approve Resolution No. 07-103, A Resolution Authorizing the Execution of a Community Enhancement and Development Agreement between West Valley City and Great Western Supply, Inc.. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes

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Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

13281      **RESOLUTION NO. 07-104, APPROVE PURCHASE OF THIRTY (30) POLICE SERVICE RIFLES AND NECESSARY EQUIPMENT FOR RIFLES FROM PHOENIX DISTRIBUTORS FOR USE BY THE POLICE DEPARTMENT**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-104 which would approve purchase of 30 police service rifles and necessary equipment for rifles from Phoenix Distributors in an amount not to exceed \$50,000.00 for use by the Police Department.

Mr. Isaac stated the proposal would include purchase and equipping of thirty Colt LE AR15 A3 police rifles for use by sworn officers in high risk incidents such as active shooters, felony stops, building searches, and other incidents where the long range accuracy of a police rifle would be needed.

The Acting City Manager reported recent events around the nation and even in neighboring communities had heightened awareness of the need for police officers to be adequately equipped to deal with offenders using lethal weapons against innocent citizens and police officers. He stated the need for officers to have the tools necessary to defend themselves and others against those offenders was of critical importance to the mission of the Police Department. He indicated the purchase of the rifles would allow the Department to implement, on a limited basis, the strategic distribution of weapons capable of contending with violent armed offenders who might act with violent intent in the City. He stated the Department would purchase the weapons from Phoenix Distributors in Feasterville, PA, the only distributor able to be located to have such rifles in stock.

Mr. Isaac indicated funds for the purchase would come from \$46,991.44 converted from abandoned monies in police evidence that had, per State statute, been unable to be returned to an owner because the owner had either abandoned the money or the City had been unable to locate the owner. He stated the Department had followed all state statutory guidelines to properly dispose of the funds.

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After discussion, Councilmember Winder moved to approve Resolution No. 07-104, A Resolution Approving the Purchase of 30 Police Service Rifles and Necessary Equipment for the Rifles from Phoenix Distributors for use by the Police Department. Councilmember Coleman seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

13282

### **RESOLUTION NO. 07-105, AUTHORIZE EXECUTION OF A SISTER CITY AGREEMENT BETWEEN WEST VALLEY CITY AND BOCA DEL RIO, MEXICO**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-105 which would authorize execution of a Sister City Agreement between West Valley City and Boca del Rio, Mexico.

Mr. Isaac stated West Valley City and Boca del Rio recognized international cooperation was one of the factors that impacted favorably the solution of problems affecting communities. He indicated the cities were convinced of the importance of mechanisms that contributed to development and invigoration of the mark of bilateral cooperation, as well as the necessity of executing projects and actions having affective incidence in the economic and social advance of the cities.

The Acting City Manager reported the Sister City Agreement had some of the following objectives:

- Promotion and diffusion
- Exchange of managerial missions
- Exchange of information, documentation and materials
- Organization of fairs, seminars and congresses, and studies and combined investigations

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- Exchange of technicians, specialists and professionals
- Formation and qualification of human resources
- Exchange cultural, sport and artistic information
- Organization of seminars, shops, symposia and conferences
- Any other method of action

After discussion, Councilmember Burt moved to approve Resolution No. 07-105, A Resolution Authorizing Execution of a Sisterhood Agreement between West Valley City and Boca del Rio, Mexico. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

### 13283 **RESOLUTION NO. 07-75, AUTHORIZING USE OF A STANDARD FORM AGREEMENT BETWEEN WEST VALLEY CITY AND APPLICANTS WHO WISH TO PARTICIPATE IN THE GOOD LANDLORD PROGRAM (*CONTINUED FROM MAY 15, 2007*)**

Acting City Manager, Paul Isaac, presented proposed Resolution No. 07-75 which would authorize use of a standard form agreement between West Valley City and applicants desiring to participate in the Good Landlord Program. Mr. stated this matter had been continued from the Regular Council Meeting held May 15, 2007.

Councilmember Coleman expressed gratitude to staff for efforts regarding the program and thanked the employees for changes made to the agreement as requested by the City Council.

For the benefit of Councilmember Brooks who had been absent the previous week, Acting City Manager, Paul Isaac, reviewed the proposed changes to certain language in the proposed agreement.

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Councilmember Burt declared a conflict of interest stating she owned rental units in West Valley City; but stated she would cast a vote as her district had more apartments than any other.

After further discussion, Councilmember Coleman moved to approve Resolution No. 07-75, A Resolution Authorizing the Use of a Standard Form Agreement between West Valley City and Applicants Who Wish to Participate in the Good Landlord Program. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	No
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Majority.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, MAY 22, 2007, WAS ADJOURNED AT 6:50 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held May 22, 2007.

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Sheri McKendrick, MMC  
City Recorder